

# **UTAH DEPARTMENT OF TRANSPORTATION**

# **CONSTRUCTION MANUAL OF INSTRUCTION**

October 17, 2005

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## **Construction Manual of Instruction**

### **Introduction**

In addition to other requirements, construction contracts and specifications set forth requirements of the contractor, method of measurement and basis of payment. Alternatively, the Construction Manual of Instruction defines and establishes the responsibilities of the Department's Resident Engineer and field personnel regarding the proper administration of contract provisions. The Resident Engineer is responsible for assuring the project is constructed in accordance with the plans, specifications and special provisions, control of inspection and proper documentation.

It is imperative that each contract is read and understood by those involved in its administration. The Resident Engineer and the assigned field personnel's basic responsibility are to verify the contractor's compliance with the contract requirements. The following information is not to be construed as replacing, modifying or superseding any provisions of the specifications, plans, or contract and may not be found elsewhere.

Included in this manual are references to specifications, policies and procedures, and parts of the Code of Federal Regulations (CFR). Additional information may be found in the FHWA Contract Administration Core Curriculum Participant's Manual and Reference Guide.

For access to 23 CFR – Highways, go to:

<http://www.access.gpo.gov/cgi-bin/cfrassemble.cgi?title=200123>

For access to 49 CFR – Transportation, go to:

<http://www.access.gpo.gov/cgi-bin/cfrassemble.cgi?title=200449>

For access to other CFR Titles, go to:

<http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>

For access to FHWA Contract Administration Core Curriculum Participant's Manual and Reference Guide go to:

<http://www.fhwa.dot.gov/programadmin/contracts/coretoc.htm>

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## **Administration and Organization**

(Reference Policies and Procedures 05C-30)

### ***Department Organization***

The Construction Division is charged with the responsibility for administration of contracts. It assumes responsibility at the time the contract is advertised in accordance with procedures established by the Department. Its responsibility ceases when the Department has accepted the project and final payment has been issued to the contractor.

Construction engineering functions are under the direction of the Director for Construction and Materials. The Director for Construction & Materials coordinates and directs construction engineering activities, materials certification and testing programs for the Department, and acts as an advisor for the Department on matters of engineering policy.

The Department includes four Regions, each having a Region Director functioning as the operational representative of the Deputy Director. The Region Director is responsible for all construction and related activities of the Department within their Region. Region Four includes three Districts, each having a District Engineer responsible for operations within their District.

A Region Construction Engineer is assigned to contract administration and is directly responsible to the Region Director. Among other duties, the Region Construction Engineer is responsible for approving all specification changes and the inspection and acceptance of completed projects. The Region Construction Engineer functions as the Federal Highway Administration (FHWA) representative for Stewardship projects administered in accordance with the Department/FHWA Stewardship agreement.

Project Managers work under the general direction of the Region Director. Each project is assigned to a Project Manager who has overall responsibility for the scope, schedule, budget and quality of the project.

The Resident Engineer is the Department's representative on the project and operates under the general supervision of the Region Construction Engineer and Region Director/District Engineer. The Resident Engineer coordinates activities with the Project Manager on all matters affecting the project scope, schedule and budget.

### ***Federal Highway Administration (FHWA)***

(Reference [23 CFR 640](#))

On a project for which the Federal Government makes all or part of the funding available, the terms of Federal participation are established in an agreement between the Department and FHWA, known as the Stewardship agreement. This agreement provides that the work is to be done in accordance with predetermined standards included in the plans and specifications, standard drawings and special provisions. Before Federal-aid funds are disbursed to the Department, FHWA conducts reviews to ensure the projects have been constructed in accordance with the agreement.

Administration of construction is a function of the Department and its engineers and inspectors. However, engineers from the FHWA will make inspections of projects at times selected by them.

The relationship between the FHWA and the Department does not directly involve the contractor. FHWA representatives inspect the project for the purpose of reviewing the Department's procedures requiring the project to be constructed in accordance with commitments contained in the Department's agreement with FHWA. The FHWA has neither responsibility nor authority to deal directly with the contractor.

All major changes must be coordinated with the FHWA before work is started. Concurrence of the FHWA must be obtained before beginning work involved with a major change. For additional information refer to Scope of Work, Change Orders.

Projects that do not have an asterisk (\*) preceding the project number are administered under the Department/FHWA Stewardship agreement and referred to as Stewardship projects. For these projects, the Region Construction Engineer serves as the FHWA representative.

Projects that have an asterisk (\*) preceding the project number are referred to as Non-Stewardship projects. For these projects, FHWA retains the approval authority for federal participation and change orders.

### ***Project Organization***

Each contract is under the direct supervision of a Resident Engineer assigned as the Department's representative for the project prior to award of the contract. This assignment is made through an assignment order issued from the Director of Construction and Materials.

As the Department's representative, the Resident Engineer will have frequent personal contacts with the contractor, property owners, municipal and utility representatives and the traveling public. It is important the conduct of these associations be of a character that reflects credit on the Resident Engineer and the Department.

### ***Local Government/Consultant Managed Projects***

(Reference [23 CFR 1.11](#), [23 CFR 635.105](#))

Consistent with the definition of *Engineer* in accordance with Section 00570, a Consultant Engineer responsible for construction engineering and contract administration is considered an extension of the Department and has the same responsibility and authority as a Resident Engineer. Consequently, and as applicable, the term "Consultant Engineer", or "Consultant Project Engineer", is interchangeable with the term "Resident Engineer" as used throughout this manual.

On Federal-aid projects, a UDOT Region Construction Engineer or Resident Engineer must be in responsible charge in accordance with the definition found in the

[FHWA Contract Administration Core Curriculum Participant's Manual and Reference Guide \(Reference "Project Supervision and Staffing" under "State Procedures."\)](#) The UDOT Region Director will assign this Engineer.

### ***Intra-Department Relations***

Understanding the functions and problems of other divisions, and the manner in which they fit into the overall organization, improves teamwork within the Department. Each employee has responsibility to promote good relations with fellow employees. A principal factor in promoting good relations is to keep your supervisor fully informed about all pertinent events that happen on work for which you are responsible. This principal applies equally at all levels of authority.

Each employee is expected to carry out the instructions of the supervisor. Each supervisor's conduct should earn the support and cooperation of all assigned employees. Each employee must know his/her responsibility and must have authority to execute it. The Resident Engineer is expected to brief assigned personnel on plans and schedule for the work immediately ahead.

### **Bidding Requirements and Conditions**

(Reference Sections 00120 & 00515)

#### ***General Requirements***

(Reference Policies and Procedures 08B-1, 08B-12, 08B-27)

The specifications establish the condition under which bids are accepted by the Department and the contractor's responsibility for knowledge of job conditions and familiarity with plans and specifications. Even though having little, if any, involvement in bidding procedures, the Resident Engineer should be aware of the contents of this section.

#### ***Pre-bid Review/Meetings***

The Resident Engineer will be available to answer bidder's questions and provide a site review as requested by contractors. Pre-bid meetings are held as specified in the contract (Department Special Provision 00250S), the purpose of which is to relay unique information to all prospective bidders.

Specifications cite the Department is bound only by written statements, representations, or descriptions of conditions and work, and that no oral explanations or instructions are binding. However, the Resident Engineer and field personnel should be aware that any statements regarding conditions, work difficulty, or any other comments not included in the plans and specifications could influence the bid preparation.

## **Award and Execution of Contract**

(Reference Sections 00515 & 00555)

### ***Notice of Award***

The Notice of Award is official announcement to the lowest responsible bidding contractor that the contract has been awarded. This document informs the contractor of the Resident Engineer assigned to represent the Department for the duration of the contract.

### ***Notice to Proceed***

The Notice to Proceed is official announcement to the contractor authorizing him to proceed with work. This indicates that all bonds, insurance certificates, and contracts have been signed. The Resident Engineer will not allow work to start prior to receipt of the Notice to Proceed.

## **Prosecution and Progress**

(Reference Section 00555)

### ***General Requirements***

Specifications establish the contractor's responsibility to furnish adequate resources for meeting specified project schedules as well as quality. The Resident Engineer will direct unsatisfactory progress to the contractor's attention in writing. If the contractor fails to act in keeping with the intent of this section the matter is to be directed immediately to the attention of the Region Construction Engineer.

### ***Preconstruction/Partnering Conference***

As soon as possible after the project has been officially awarded, the Resident Engineer will arrange and conduct a conference with the contractor and interested parties for the purpose of reviewing construction details, proposed schedules, communication protocol, and to identify personnel and their responsibilities, and make initial coordination for beginning of work, etc.

Prior to the meeting, the Resident Engineer should have studied the Plans and Special Provisions and made a field inspection of the project in order to be well-informed as to the contract requirements and existing conditions.

Refer to Section 00725 and the UDOT & Utah Association of General Contractors Partnering Field Guide for information concerning partnering.

### ***Subletting of Contract***

(Reference [23 CFR 635.116](#) and [FHWA 1273](#))

When portions of the contract are sublet, the prime contractor continues to be the legally responsible party for the administration of the contract. All instructions, orders, changes or other contract matters pertaining to the subcontractor's work should be directed to the prime contractor. The Resident Engineer and field personnel must be careful to maintain the proper channel of communication and maintain the prime contractor's role under the contract.



Requests by the contractor to sublet work are submitted to the Resident Engineer on Form C115 (Request to Sublet Work). A separate form is required for each subcontractor. Requests to sublet work must be reviewed and approved prior to the subcontractor performing any work on the project. Prior to approval by the Resident Engineer, requests to sublet work must be reviewed to verify:

- 1) The maximum allowable percent sublet is not exceeded.
- 2) Contractor's compliance with the original Disadvantaged Business Enterprise (DBE) commitment (Federal-aid projects)  
(Reference Policies and Procedures 08B-110 & Contract - Bid Conditions)

On Federal-aid projects, form C116 (Subcontract Agreement Certification for Federal-aid Projects) is required to be submitted with form C115.

In addition to reviewing and approving requests to sublet work, the Resident Engineer will randomly select 1 out of 10 subcontractors, with a minimum of 1 per project, and request a copy of the contractor's subcontract agreement to verify compliance with the requirements cited in Section 00555, and for Federal-aid projects, that the required Federal-Aid Provisions (Reference [23 CFR 633.102e](#) and [FHWA 1273](#)) are included in the agreement. Verification of this process will be made in accordance with UDOT Policy and Procedure 08B-28 (Review of Construction Practices and Procedures).

### ***Limitation of Operations***

Limitations of operations identify the constraints under which the contractor must perform construction activities. These limitations are unique for each project and are described under special provision 00555M.

### ***Contract Time***

(Reference Policies and Procedures 08A-9, [23 CFR 635.121](#))

Unless otherwise specified in the contract, time charges commence 10 days following the Notice to Proceed. When it is in the interest of the Department, the Resident Engineer has authority to suspend time charges on working day or calendar day contracts. The Resident Engineer will not suspend time charges, or waive the commencement of time charges, unless it is determined to be in the interest of the Department.

The Resident Engineer will keep the Project Manager and Region Construction Engineer informed with respect to the justification and duration of the suspension of contract time.

### **Definitions**

(Reference Section 00570)

Section 00570 includes abbreviations and definitions for commonly used contract terms in addition to establishing specification format. Definitions of terms are also found in 23 CFR within subsections of each part.

## **Scope of Work**

(Reference Section 00725)

This section establishes conditions and procedures under which alterations may be made to the project through contract modification (Change Order) in dealing with differing site conditions and significant changes in the character of work. This section also cites requirements for the use of on-site materials, contractor's responsibility for work, railway/highway provisions (Reference Policies and Procedures 08A6-1, 08A6-3, 08B-29 and [23 CFR 645](#), [23 CFR 646](#)), and Value Engineering (VE) proposals (Reference Policies and Procedures 08A4-1 and [23 CFR 627](#)). When potential differing site conditions are encountered, or when significant changes in the character of work are expected, notify the Region Construction Engineer.

## **Change Orders**

(Reference Policies and Procedures 08B-10, 08B-11, and [23 CFR 635.120](#))

Change orders modify the contract and are required for, but not limited to, the following conditions: Plan or specification change or addition, differing site conditions or significant changes in the character of work, change in DBE commitment, extension of contract time, extra work required that cannot be tied to an original bid item, and acceptance of a value engineering proposal. Refer to the [FHWA Contract Administration Core Curriculum Participant's Manual and Reference Guide – "Change Orders \(Extra Work and Time Extensions\)" under "State Procedures."](#)

Prepare change orders to be self-explanatory. Approving authorities are not as familiar with the aspects of the work as the Resident Engineer and must understand the intent, governing specifications, and cost analysis, with a minimum of research. Completed attachments, cost analysis, authorization to proceed and any other documentation applicable to the change order must be included when transmitted to approving authorities.

For Non-Stewardship projects (Identified with an asterisk (\*) preceding the project number) all change orders must be approved by FHWA.

A change order, signed by the Region Construction Engineer (Stewardship projects) or FHWA (Non-Stewardship projects) is required prior to proceeding with any change or extra work considered to be a major change, except in emergency or unusual situations as provided in [23 CFR 635.120](#).

A major change is a change that will significantly affect the cost of the project to the Federal Government or alter the termini, character or scope of the work. The following types of changes or extra work are considered to be major changes requiring Region Construction Engineer or FHWA approval or authorization to proceed before work begins:

- 1) Any change or extra work exceeding \$25,000
- 2) Significant changes in the character of work in accordance with Section 00725
- 3) Revisions in conflict with approved standards

- 4) Revisions to pavement structural section (Excluded are changes to nominal maximum size mixture for HMA, provided volumetric design gyrations remain unaffected)
- 5) Revisions in geometric design (alignment, and/or grade), which affect the design speed, or change the structural design of a major structure
- 6) Revisions involving addition, deletion, or relocation of bridges
- 7) Any change requiring revision in controlled access, including changes to median openings and changes requiring additional right-of-way (On uncontrolled access projects, changes in access locations will be considered minor as long as the change does not violate Administrative Rule R930-6, Accommodation of Utilities and the Control and Protection of State Highway Rights-of-Way.)
- 8) Changes in any feature of design or construction which may be contrary to the intent of the environmental document (Changes must be coordinated with the Region environmental staff)
- 9) Any change related to the type or quality of materials to be furnished and incorporated into the finished project on a major item

For minor changes, Region Construction Engineer (Stewardship) and FHWA (Non-Stewardship) approval is required, but may be obtained after the work has been completed.

### ***Force Account***

(Reference [23 CFR 635.120](#))

Force account basis for payment will only be used when necessary, such as when the contractor and Resident Engineer cannot agree on a price for the extra work, or when the extent of work is unknown or is of such character that a price cannot be determined to a reasonable degree of accuracy. The work is then performed on an actual cost basis.

All extra work to be performed by the contractor on a force account basis must be approved before starting work. The approval request will include a brief but complete description of the work to be performed, reason for extra work, and a cost estimate broken down to show costs for labor, materials, and equipment.

The Resident Engineer will keep accurate daily records of the work as it is done. The record will be submitted in duplicate to the contractor's representative each day for signature. The Resident Engineer and contractor will each receive one signed copy acknowledging the labor, materials, and equipment used each day.

At the conclusion of the work, force account charges will be summarized. The contractor will furnish invoices, payrolls, etc., to support the charges.

## **Control of Work**

(Reference Section 00727)

### ***Engineer's Responsibilities***

As the Department's representative, the Resident Engineer must ensure the project meets all contract requirements. The Resident Engineer should expect to obtain no more than what is specified or accept any less than the contract requirements. The Resident Engineer will in no way attempt to supervise work for the contractor.

Personnel assigned to assist the Resident Engineer with testing, inspection and documentation of the contracted work will have varying levels of training, experience, and certification. The Resident Engineer is responsible for the training and proper assignment of these personnel.

The Resident Engineer is responsible to make certain the contract work is performed in accordance with the contract provisions and that all materials incorporated in the work have been tested and accepted by the proper authority. The Resident Engineer is also responsible to ensure that progress and events are properly documented, all records and reports are filed, and the Departments interests are protected.

It is important the Resident Engineer keep the Region Construction Engineer and Project Manager informed of the progress of work, including any anticipated extra work, unusual problems or changed conditions, and potential for additional compensation due the contractor.

### ***Duties and Authority of Inspectors***

Proper inspection requires good judgment, diplomacy, common sense, and a thorough knowledge of the work, plans, and specifications. It is the duty and authority of all inspectors to enforce the specifications. If differences in interpretation arise with the contractor, the Resident Engineer will decide the matter.

The inspector is directly responsible to the Resident Engineer, but may work under the direct supervision of a Field Engineer or other personnel assigned to specific construction operations. Inspector's duties include inspection, sampling and/or testing of materials, documenting and making necessary records or reports of operations, in addition to other duties as directed by the Resident Engineer.

The inspector will always bear in mind that the management of the work is the contractor's business. However, if any methods are employed which the inspector has reason to believe will impair the quality of the finished job, the contractor will be advised accordingly and Resident Engineer notified immediately. The inspector is not to discuss the contractor's means or methods of handling the work with competitors or others not directly involved with the project. The inspector will in no way attempt to supervise work for the contractor or cause himself or herself to be under obligation to the contractor or their personnel.

The inspector is not authorized to revoke, alter, enlarge, relax, or release any requirements of the plans or specifications, or to approve or accept any portion of the

work, or to issue any instructions contrary to the plans or specifications. If conditions arise which seem to render it impractical to enforce the specifications, the inspector will contact the Resident Engineer immediately.

It is the duty of all inspectors to study the plans and specifications and be fully conversant with all the details of the work to be done. If anything is found which is not fully understood, the inspector will consult with the Resident Engineer.

### ***Utilities***

(Reference Policies and Procedures 08A6-2, 08B-29, and [23 CFR 645](#))

When utility facilities are affected by the construction or improvement of a highway, the utility companies are obligated to relocate, adjust, and/or protect such portions or sections of their installations as necessary to accommodate the construction. In some instances, the Department shares the cost of such work; in others, it may be necessary for the Department to bear the total cost of such work.

Where the cost of the necessary relocation and adjustment of a utility facility is totally or partially an obligation of the Department, a Reimbursement Agreement is negotiated between the Department and utility company for performing the relocation work. In some cases, the utility relocation work is accomplished by including the necessary items of work in the general contract on a unit price basis.

The Resident Engineer must be familiar with the requirements included within all Reimbursement Agreements established for purposes of constructing the project. The Resident Engineer should also make early contact with appropriate representatives from the utility companies involved and invite them to the project preconstruction meeting in order to help facilitate and coordinate scheduling the work required on the project.

### **Legal Relations and Responsibility to Public**

(Reference Section 00820)

#### ***Labor Relations***

(Reference Policies and Procedures 08B-21)

As part of the contract, it is required that all regulations with regard to labor be properly followed. Requirements of the contractor and Department regarding contract labor provisions are covered in the contract proposal and referenced regulations. A working knowledge of these regulations is expected of Department personnel involved to ensure compliance by the contractor. The Department is responsible for enforcement of the contract labor provisions to the same extent as any other contract requirements.

#### ***Required Notices and Posters (Federal-aid Projects)***

Required notices and posters are listed on Form C131 (Equal Employment Opportunity Bulletin Board Project Review). The required notices and posters must be posted on the project in a conspicuous place so that interested persons may be readily aware of their contents. The Resident Engineer should perform a review within the first two weeks after beginning work on the project to verify the

contractor's compliance with these requirements. Reviews will then be conducted bi-monthly throughout the duration of the project. All reviews are to be documented on form C131.

### ***Labor and EEO Interviews (Federal-aid Projects)***

Labor interviews will be performed and reported on form C136 (Labor & EEO Interview of Workmen on Utah Highway Projects). A sufficient number of interviews and reports are to be made such that 10% of the contractor's workforce is interviewed monthly.

### ***Safety***

(Reference Policies and Procedures 05D-2, 08B-30)

Refer the Manual on Uniform Traffic Control Devices (MUTCD) and UDOT Construction Safety and Health Manual.

### ***Traffic Control***

(Reference Section 01554)

(Reference Policies and Procedures 06C-61, 08-05)

Refer to contract requirements, the contractor's Traffic Control Plan (TCP), and the MUTCD. Department personnel designated to monitor the contractor's compliance with traffic control requirements will have a copy of the contractor's Traffic Control Plan available at all times when on the project.

### ***Responsibility for Damage Claims***

(Reference Policies and Procedures 08B-94)

The contractor's responsibility for damage claims and insurance requirements are established in this article under Section 00820.

### **Measurement and Payment**

(Reference Sections 01280 & 01282)

(Reference [23 CFR 635.123](#))

#### ***General Requirements***

The Resident Engineer requires documents to substantiate acceptance of materials and work items for both quality and quantity. The basis of acceptance for quality, method of measurement and basis of payment are established by specifications. Documentary evidence on which to base payment will be in accordance with policies established by the Department.

#### ***Project Diaries***

The Resident Engineer is required to keep a daily diary on each project. The Resident Engineer's diary need not repeat information contained in Inspector's Daily Reports but should contain general information about operations or communication between the Resident Engineer and the contractor.

#### ***Inspector's Daily Reports (IDR)***

Each inspector assigned responsibility for major operations will prepare a daily report (Form C111). The person recording the information must sign the daily report. This

report should contain a day-by-day record of all significant items relating to the project. Since it may become important evidence in the decision of claims or the establishment of responsibilities or liabilities, it is essential that the notes be complete. Partial list of items to be noted:

- Weather
- Orders given the contractor
- Important discussion with contractor or representative, such as disputes
- Official visitors and inspections
- Work or materials rejected and reasons
- Time of shutting down or resuming work and explanations
- Work done by contractor's forces during the day
- General purpose of work
- Account of time spent by contractor's personnel or equipment on disputable items of work
- Length and cause of any delay
- Arrival and departure of major equipment and work crews
- Record of telephone calls
- Unusual conditions, if any
- When appropriate, daily surveillance of traffic control as to effectiveness

### **Public Information Services**

(Reference Section 01315)

Requirements cited in Section 01315 are intended to apply specifically to those contracts that include a bid item for this work. The type and extent of public information services will vary from project to project.

Public information services is intended to create an open two-way communication forum where the public is informed in advance of construction impacts in order to minimize them and have an opportunity to provide feedback on construction activities and effect change when appropriate. The Resident Engineer is expected to work closely with the Region Public Involvement Coordinator in monitoring and facilitating the public information services effort.

### ***Public Relations***

UDOT personnel are in daily contact with, and under the critical eyes of, a large number of citizens. As a public service organization, the Department is judged by its employees as well as by its work. Every employee should bear in mind they have a responsibility to build good will toward the Department.

In the event of contact with news media, Department personnel should answer questions or furnish information only on matters for which they have personal responsibility and are well informed. Questions concerning policy or programs should be referred to the Region Public Involvement Coordinator or Region Director. Do not offer personal comments about Department policies, supervisors, co-workers, contractors, and politely turn aside all questions on those subjects. If additional direction is needed, contact the Region Public Involvement Coordinator.

## **Environmental Protection**

(Reference Section 01355)

It is the responsibility of all employees to be familiar with these requirements and be alert to possible violations. When violations are suspected, notify the Resident Engineer and/or the Region Construction Engineer. The Resident Engineer has the responsibility to be familiar with all mitigation commitments in the environmental document.

## **Material Quality Requirements**

(Reference Section 01455)

(Reference Policies and Procedures 08B-31 and [23 CFR 637](#))

Specifications establish that only materials conforming to the requirements of the contract are to be used and the contractor is responsible for furnishing materials meeting the specified requirements. Materials, unless otherwise permitted by the specifications, cannot be incorporated in the work until tested and approved by the proper authority. The Department must base the acceptance of materials incorporated in the work on process inspection, material use, sampling, testing and measurements in order to provide complete and positive verification of compliance. Without this verification of compliance the Department cannot fulfill its responsibilities under the contract for the commitment of public funds. The Resident Engineer will ascertain that a material has been properly accepted before permitting its use in the work.

[23 CFR 637B](#) cites requirements for Quality Assurance Procedures for Construction. In addition to other requirements of [23 CFR 637B](#), each State Highway Agency (SHA) must develop a Quality Assurance Program, Independent Assurance Program, and laboratory and personnel qualification requirements. Materials acceptance requirements, including point of acceptance, test methods, acceptance documentation and reports, sampling and testing frequencies, etc., are established in the Department's Minimum Sampling and Testing Requirements. The Department's Quality Assurance Program, Independent Assurance Program, Laboratory Qualification Program, and Transportation Technician Qualification Program (TTQP) are described in the UDOT Materials Manual Part 8.

Refer to the specifications, UDOT Minimum Sampling and Testing Requirements, [UDOT Materials Manual Part 8](#), and Policy and Procedure 08B-31.

Additional Materials information may be found at:  
<http://www.dot.state.ut.us/index.php/m=c/tid=196>

## **Project Accounting**

Information regarding Project Accounting can be found within the Help menu within the Project Development Business System (PDBS) program. If additional guidance is required, contact the Region Contracts Specialist.



## **Project Acceptance and Contract Completion**

(Reference Sections 00555 & 00727)

Upon notification from the contractor of Substantial Completion, the Resident Engineer conducts an inspection and identifies all work necessary to achieve Physical Completion. If the project is found to be substantially complete, the Resident Engineer notifies the contractor in writing of the date of Substantial Completion. The contractor is required to accomplish Physical Completion within 30 calendar days from the date of Substantial Completion.

Upon notification from the contractor of project Physical Completion, the Resident Engineer conducts the *Final Inspection*. For Non-Stewardship projects, the FHWA has responsibility and authority for final acceptance. For Stewardship projects, the Region Construction Engineer has responsibility and authority for final acceptance.

Physical Completion is when all construction work, punch list work, final cleanup and demobilization have been accomplished. The Resident Engineer notifies the contractor in writing of the date of Physical Completion (*Final Acceptance*) and all remaining documentation and obligations required of the contractor to accomplish Contract Completion. The contractor is required to provide all necessary documentation to the Resident Engineer and complete all remaining obligations under the contract (Contract Completion) within 30 calendar days from the date of Physical Completion.

The Department has 90 calendar days following the date of Contract Completion to issue final payment to the contractor and close the contract.

The following documentation is to be completed, checked by the Resident Engineer, and submitted to the Region Contracts Specialist within 30 calendar days of Contract Completion for review in order to process the final estimate and close the contract:

(Reference Construction Form C197)

### ***Contractor's Documentation***

FHWA 47 - Statement of Materials and Labor Used by  
Contractors on Highway Construction Involving Federal Funds  
DBE Affidavit  
Buy American Certification  
C200 - Certificate of Receipt and Release

### ***Resident Engineer's Documentation***

Complete Project Files with Final Forms/Documentation  
List of Field Book Numbers to Archive  
As-Constructed Plans (Reference Policies and Procedures 08-3)

## **Project Files/Records**

Create and maintain project files as follows:

### ***Preconstruction/Correspondence***

- Assignment Order
- Notice of Award
- Notice to Proceed
- Preconstruction Conference agenda, minutes (if available) and attendance roster
- Partnering Charter
- Internal Correspondence (Incoming/Outgoing)
- External Correspondence (Incoming/Outgoing)
- Request For Information (RFI)
- Public Information Services (Fliers, log book)
- Miscellaneous

### ***Change Orders***

- CO # 1
- CO # 2, etc.
- (Forms C100, C101, C102, C103, C104, and C107)
- R5 - Transfer of Material and Equipment

### ***Partial Estimates***

- Detail Estimate & Bid Abstract
- Partial Estimates (1-10, 11-20, etc.)
- C109 - Fax Cover Sheet for Partial Estimates
- C118 - Schedule of Fund Requirements
- C139a - Prime Contractor Certified Prompt Payment Statement or Certified Retained Money & Accrued Interest Statement
- C300 - Fuel Cost Adjustment Record
- C302 - Bituminous Cost Adjustment Record
- C400 - Anticipated Monthly Payment Schedule
- Stockpile Invoices & Paid Invoices

### ***Project Reports***

- C111 - Inspector's Daily Reports
- C114 - Signature Sheet
- Monthly Status of Contract Time
- CPM Schedule
- Weekly Schedule/Progress/Partnering meeting minutes
- Daily Traffic Control Inspection Reports
- Project Inspection Reports/FHWA Inspections/Bi-Monthly Process Reviews

### ***Request to Sublet Work/Certified Payrolls***

- C115 & C116 - Requests to Sublet Work & Subcontract Agreement
- Certification for Federal-Aid Projects (File required for each Subcontractor)

C135 - Using a Weighted Average to Figure Overtime  
Form 1444 - Request for Authorization of Additional Classification and Rate  
(US Dept. of Labor)  
WH 347 - Certified Contractor and Subcontractor's payrolls (Required  
information may be in other format such as computerized payroll)  
WH 348 - Statement of Compliance (For all payrolls)  
Fringe Benefit Program (If applicable)

### ***Materials***

**Note:** All test reports and materials information is to be maintained in the Resident Engineer's office project file. Establish files numerically by bid item number – Include all certifications, materials test reports, approved shop drawings, etc. (A binder or expandable file using tabs separated by bid item number may also be used)

Suppliers List  
Contractor's Binder Management Plan  
C106 - Price Reduction Notification  
Summary of Materials Not Conforming to Specifications  
Targets/Mix Designs  
C150 - Culvert Inspection Form (If applicable)  
Central Material Lab Reports  
Region Material Lab Reports  
Concrete Strength Reports  
Scale/Meter Certifications  
Weight Tickets

### ***Safety***

Traffic Control Plan  
Traffic Control/Flagging Certifications  
Safety Inspections  
Contractor's Claim Procedure  
OCIP (Owner Controlled Insurance Program)

### ***Utility/Railroad/Cooperative Agreements***

Separate file for each entity in chronological order

### ***Environmental Clearances/Right of Way Contracts***

Environmental Document  
Environmental Clearances - Department  
Environmental Clearances - Contractor  
Right-of-Way Contracts

***Civil Rights/Training***

- EEO & DBE Officers and Complaint Procedure
- DBE Commitment (PDBS)
- DBE Analysis
- Training Commitment Letter
- Trainee Registrations
- C131 - EEO Bulletin Board Review
- C133 - Harassment, Intimidation and Coercion
- C136 - Labor & EEO Interview of Workmen on Utah Highway Projects
- C138 - Monthly Training Report
- C141 - DBE Commercially Useful Function (CUF) Project Site Review
- PR1391 - Yearly EEO Report
- Safety Meeting Rosters (Where EEO is discussed))

***Final Forms/Documentation***

- C119 - Contractor Performance Report
- C190 - Final Inspection Report
- C193 - Utility Fiscal Review Report
- C193A - Salvage Credit Report for Utilities and Railroads
- C196 - Final Project Materials Certification & Attachment #1
- C197 - Final Estimate Check
- C199 - Post Construction Conference Report
- C200 - Certificate of Receipt & Release By Property Owner
- FHWA 47 - Statement of Materials and Labor Used by  
Contractors on Highway Construction Involving Federal Funds

Note: Many of the above files are only applicable to Federal-aid projects, while other files are not necessarily applicable to all project types. When the Resident Engineer deems it appropriate for smaller projects, some or all files within sections may be combined. If additional guidance is required, contact the Region Contracts Specialist.

## Construction Forms

(Refer to Minimum Sampling and Testing Requirements for Materials forms and reports)

Construction forms can be found at: <http://www.udot.utah.gov/index.php/m=c/tid=322>

FORM OR DOCUMENT	INITIATED BY	SUBMITTED THROUGH/TO	WHEN REQUIRED	PURPOSE	REFERENCE
<b>CONTRACT AGREEMENTS</b>					
<b>C100</b> Construction Contract Change Order	RE/Project Office	Region Contracts Specialist/ Project Manager/ Contracts Estimates & Agreements Manager	Before the performance of extra work or change to the contract, and within two weeks following issuance of a C107 Authorization to Proceed	To establish the basis of payment for extra work and/or contract modification	<a href="#">23 CFR 635</a> , Specifications 00570, 00725, & 01282, Policy 08B-10
<b>C101</b> Attachment A	RE/Project Office	Region Contracts Specialist/ Project Manager/ Contracts Estimates & Agreements Manager	When Change Order is initiated	Cause or basis and justification for contract modification	<a href="#">23 CFR 635</a> , Specifications 00570, 00725, & 01282
<b>C102</b> Attachment B	RE/Project Office	Region Contracts Specialist/ Project Manager/ Contracts Estimates & Agreements Manager	When modifying an existing, or creating a new, contract specification	Identify change to contract specifications	<a href="#">23 CFR 635</a> , Specifications 00570, 00725, & 01282
<b>C103</b> Cost Analysis/Itemized Statement	RE/Project Office	Region Contracts Specialist/ Project Manager/ Contracts Estimates & Agreements Manager	For Force Account work  May be used for cost analysis for Agreed Unit Price	Cost justification and support	<a href="#">23 CFR 635</a> , Specification 01282
<b>C104</b> Weekly Force Account Cost Report	RE/Project Office	Project File/ Attachment to change order when applicable	When contractor & RE cannot agree on basis of payment or agreed unit price, or when documenting disputed work	Documenting force account or disputed work	<a href="#">23 CFR 635</a> , Specification 01282

FORM OR DOCUMENT	INITIATED BY	SUBMITTED THROUGH/TO	WHEN REQUIRED	PURPOSE	REFERENCE
<b>C107</b> Record of Authorization to Proceed with Extra Work or Revision of Contract	RE/Project Office	RCE/Project Manager/ Contractor/ Contracts, Estimates & Agreements Manager  For Non-Stewardship (*) projects, replace RCE (above) with FHWA	For emergency work, or when unusual conditions justify	Authorization for emergency work, or for authorizing extra work in advance of a fully executed change order for emergency work or when unusual conditions justify	<a href="#">23 CFR 635</a> , Policy 08B-10
<b>C115</b> Request to Sublet Work	Contractor	RE/Project Office/ Region Contracts Specialist/ Contracts Estimates & Agreements Manager	Before subcontractor can perform any work on the project	Documents percent of work performed by the prime contractor  Resident Engineer must approve	Specification 00555
<b>C116</b> Subcontract Agreement Certification for Federal-Aid Projects	Contractor	RE/Project Office/ Region Contracts Specialist/ Contracts Estimates & Agreements Manager	Before subcontractor can perform any work on the project	Certification that required Federal-aid provisions are included in subcontract agreement	<a href="#">FHWA 1273 VII, 4</a> <a href="#">23 CFR 633</a>
<b>R5</b> Transfer of Material & Equipment	Contractor	RE/Project Office/ Operations Office	At time of transfer	Transfer of materials or equipment from one division or low org to another	
<b>RESIDENT ENGINEER</b>					
<b>C106</b> Price Reduction Notification	RE/Project Office	Contractor	Within 2 working days from determination of material out of specification	Notification of material out of specification or price adjustment	Policy 08B-31
<b>C109</b> Fax Cover Sheet for Partial Estimates	RE/Project Office	Estimates & Agreements Specialist	At time of processing partial estimates	Notification	
<b>C111</b> Inspector's Daily Report	RE/Project Office	Project File	Daily during construction	Daily record of project activities	Construction MOI
<b>C114</b> Signature Sheet	RE/Project Office	Project File/Region Contracts Specialist	Throughout the course of the project	List of personnel working on, and providing documentation for, the project	

FORM OR DOCUMENT	INITIATED BY	SUBMITTED THROUGH/TO	WHEN REQUIRED	PURPOSE	REFERENCE
<b>C118</b> Schedule of Fund Requirements (SOFR)	RE/Project Office	Estimates & Agreements Specialist	Contract overrun, Done at time of Estimates	Information needed by Comptrollers office	Policy 08B-11
<b>C150</b> Culvert Inspection Form	RE	Project Office/ Project File	Upon placement of pipe culvert	Documentation for acceptance	Special Provision 02610S
<b>C400</b> Anticipated Monthly Payment Schedule	Contractor	RE/ Estimates & Agreements Specialist	At beginning of project, update in accordance with specification	Information to comptroller	Specification 00555
<b><i>CIVIL RIGHTS, EEO, LABOR (FEDERAL-AID PROJECTS)</i></b>					
EEO & DBE Officer(s) – Notify Resident Engineer at Preconstruction Meeting	Contractor & Subcontractors	Project File & Post on Project Bulletin Board	At beginning of project	To designate and make known EEO/DBE Officer to administer EEO/DBE program in company	<a href="#">FHWA 1273 II.2</a>
Training Commitment Letter (On Contractor's letterhead)	Contractor	RE/Project Office	Preconstruction meeting	Submission, for approval, the number and classification of trainees to be trained	Special Provisions, Specific EEO Responsibilities Sheet 3 of 4, Part 5 Training Special Provisions, paragraph 6
Apprenticeship BAT Certification / Trainee AGC Certification	Contractor	RE/Project Office	Before apprentice/ trainee begins work on project	Certification proving registration of apprentice/ trainees in program w/dates and ratios – renew every 90 days	<a href="#">FHWA 1273 IV, 4 a</a> & FHWA LCM 507-3
Fringe Benefit Program (If applicable)	Contractor & Subcontractors	Labor Specialist, UDOT Civil Rights Office	Call Labor Specialist to see if already approved – if not approved, submit	Health and welfare, retirement and other fringe programs offered by contractors – must be approved by Labor Specialist	<a href="#">29 CFR 3</a>

<b>FORM OR DOCUMENT</b>	<b>INITIATED BY</b>	<b>SUBMITTED THROUGH/TO</b>	<b>WHEN REQUIRED</b>	<b>PURPOSE</b>	<b>REFERENCE</b>
<b>WH-347</b> Payroll  (Information required on WH-347 may be in other format such as computerized payroll)	Contractor & Subcontractors	Subcontractors submit to prime contractor – prime contractor then submits all certified payrolls to RE/Project Office	Weekly (Must be originals)	Reports hours worked and wages paid for all employees working on the project – information required on WH-347 must be on payrolls if different format is used	<a href="#">29 CFR 3.4 (a)</a> <a href="#">FHWA 1273 V 2(c)</a>
<b>WH-348</b> Statement of Compliance	Contractor & Subcontractors	RE/Project Office	Weekly – submitted with payroll (Must be original signatures)	Certification that payrolls are correct and information contained therein is true and accurate – wording must be exact	<a href="#">29 CFR 3.4 (a)</a> <a href="#">FHWA 1273 V 2(c)</a>
<b>Form 1444</b> Request for Authorization of Additional Classification and Rate	Contractor & Subcontractors	Labor Specialist, UDOT Civil Rights Office	At beginning of project and/or when needed, thereafter	Requests for those classifications and rates not listed in wage determination – project specific – prime must sign even when sub makes request and signs	<a href="#">FHWA 1273 IV, 2(a – b)</a>
Safety Meeting Rosters – (Where EEO is discussed)	Contractor & Subcontractors	RE/Project Office	At beginning of project and as needed thereafter for new employees	Roster of attendees at meetings where EEO topics were discussed – roster must show items discussed	Sheets 1 thru 7, Special Provisions, Specific EEO Responsibilities
<b>C131</b> EEO Bulletin Board Review	RE/Project Office	Region Contracts Specialist	At beginning of project and bi-monthly thereafter	Ensure all required posters and notices, including wage rates, complaint procedures and EEO officers are posted	Special Provisions, Specific EEO Responsibilities Sheet 2 of 4, Part 4 a(5) <a href="#">FHWA 1273 II 1 a</a>



<b>FORM OR DOCUMENT</b>	<b>INITIATED BY</b>	<b>SUBMITTED THROUGH/TO</b>	<b>WHEN REQUIRED</b>	<b>PURPOSE</b>	<b>REFERENCE</b>
<b>C133</b> Harassment, Intimidation & Coercion	Contractor & Subcontractors	RE/Project Office	At beginning of project and as needed thereafter for new employees	Roster of attendees at meetings where harassment, intimidation and coercion were discussed	Special Provisions, Specific EEO Responsibilities Sheet 2 of 4, Part 4 (4)
<b>C135</b> Using a Weighted Average to Figure Overtime	RE/Project Office	Project File	When a contractor employee is working on more than one project at the same time	Basis for determining overtime rate of pay	
<b>C136</b> Labor & EEO Interview of Workmen on Utah Highway Projects	RE/Project Office	Project File (Notify Region Contracts Specialist if having problems or complaints)	At beginning of project and once a month thereafter	To ensure employees are being paid and treated correctly as is required in the regulations	<a href="#">FHWA 1273 V (2) (g)</a> <a href="#">29 CFR Part 5.5(a)(3)(iii)</a>
<b>C138</b> Monthly Training Report	Contractor	RE/Project Office	Monthly	Reports hours of training for each apprentice/ trainee	Special Provisions, Specific EEO Responsibilities Sheet 4 of 4 Part 5, last paragraph
<b>C139a</b> Prime Contractor Certified Prompt Payment Statement or Certified Retained Money & Accrued Interest Statement	Contractor	RE/Project Office	Within 5 working days after payment to subcontractor(s), service providers & suppliers	Certifying that payment was made to subcontractors, etc., within 10 days of receipt of payment from UDOT for work performed that estimate period	Appendix A, Bid Conditions, DBE Section K  Specification 01284
<b>C141</b> DBE Commercially useful function (CUF) Project Site Review	RE/Project Office	Project File	Minimum once per project for each DBE working on project	Checking DBE compliance of performance and conduct requirements	Part XII Bid Conditions – Disadvantaged Business Enterprise (DBE), <a href="#">49 CFR 26</a>
<b>CR257</b> Project Employment Data	Contractor & Subcontractors	EEO Compliance Specialist – UDOT Civil Rights Office	When requested for EEO & labor compliance review	To determine compliance with minority and female employment requirements	<a href="#">FHWA 1273 II</a>  <a href="#">23 CFR 230</a>

FORM OR DOCUMENT	INITIATED BY	SUBMITTED THROUGH/TO	WHEN REQUIRED	PURPOSE	REFERENCE
<b>PR1391</b> Yearly EEO Report	Contractor & Subcontractors Over \$10K	RE/Project Office/ UDOT Civil Rights Office	For month of July – once a year, due in Civil Rights Office by August 6	Reports employees of contractors and subcontractors by race and classification for month of July	<a href="#">FHWA 1273 II, 9 b</a>
<b>FINAL FORMS/DOCUMENTATION</b>					
DBE Item Analysis (Generated by PDBS)	RE/ Project Office	Region Contracts Specialist	Upon receipt of contractor's DBE certification	Determine and document that contractor has met established goal	<a href="#">49 CFR 26</a>
<b>C119</b> Contractor Performance Report	RE/Project Office	Region Contracts Specialist	At Contract Completion	Contractor rating	
<b>C127</b> Final Estimate Package Check Sheet	Region Contracts Specialist	Contracts, Estimates & Agreements Manager	When processing final estimate	Ensure complete documentation for closing of contract	
<b>C128</b> Report on Assembly of Final Estimate	PDBS/Region Contracts Specialist	Contracts, Estimates & Agreements Manager	When processing final estimate	Ensure complete documentation for closing of contract	
<b>C190</b> Final Inspection Report	RE/ Project office	Region Contracts Specialist	Physical Completion	Document Physical Completion and completion of all punch list items	Specification 00555 & 00727
<b>C193</b> Utility Fiscal Review Report	RE/Project Office	Region Contracts Specialist	Upon completion of utility work	Analysis of actual vs. estimated costs - used by FHWA, Department Comptroller and Internal Audit	<a href="#">23 CFR 645</a> <a href="#">49 CFR 18.36</a>
<b>C193A</b> Salvage Credit Report for Utilities and Railroads	RE/Project Office	Region Contracts Specialist	Upon completion of utility work	Documents the disposition of any salvaged material	<a href="#">23 CFR 645</a> <a href="#">49 CFR 18.36</a>
<b>C196</b> Final Project Materials Certification & Attachment #1	RE/Project Office	Region Materials Engineer/ Region Contracts Specialist	At Contract Completion	Certification of project materials	<a href="#">23 CFR 637</a> <a href="#">23 CFR 640</a>
<b>C197</b> Final Estimate Check	RE/Project Office	Region Contracts Specialist	At time of submitting project documentation to Region	Ensure complete documentation	

FORM OR DOCUMENT	INITIATED BY	SUBMITTED THROUGH/TO	WHEN REQUIRED	PURPOSE	REFERENCE
<b>C199</b> Post Construction Conference Report	RE/Project Office	Region Contracts Specialist	At completion of conference	Document any outstanding disputes or issues  Lessons learned	Specification 00727
<b>C200</b> Certificate of Receipt & Release By Property Owner	Contractor/ Land Owner	RE/Project Office/ Region Contracts Specialist	At Physical Completion	Document contractor's agreement with landowner has been satisfied	
<b>C201</b> Customer Survey	RE/Project Office/ Contractor	Region Construction Engineer	At Contract Completion	Quality assurance for construction administration practices	
<b>FHWA 47</b> Statement of Materials and Labor used by Contractors on Highway Construction Involving Federal Funds	Contractor	RE/Project Office/ Region Contracts Specialist	At Physical Completion for Federal-aid projects over \$1 million and on National Highway System  Does not apply to installation of protective devices at railroad grade crossings or highway beautification projects	For FHWA to compile data on federal-aid contracts to establish highway construction usage factors	<a href="#">23 CFR 635</a>
<b>FUEL &amp; BITUMINOUS ADJUSTMENT</b>					
<b>C300</b> Fuel Cost Adjustment Record	RE/Project Office	Project File	When contractor invokes the provision	Document fuel cost adjustment	Specification 01282
<b>C302</b> Bituminous Cost Adjustment Record	RE/Project Office	Project File	When contractor invokes the provision	Document bituminous cost adjustment	Specification 01282
<b>PROCESS REVIEW</b>					
<b>C120</b> Construction Process Review Report	Deputy Construction Engineer				Policy 08B-28
<b>OCIP</b>					
<b>C109A</b> Fax Cover Sheet for OCIP Forms	RE/Project Office	In accordance with form	At time of enrollment	Notification	
Enrollment Form (Attached to OCIP Special Provision & Construction Forms on web)	Contractor	RE/Project Office/ Willis of Utah	Submit with Request to Sublet Work (C115)	Required before entering jobsite	OCIP Manual & Special Provision 00810S

<b>FORM OR DOCUMENT</b>	<b>INITIATED BY</b>	<b>SUBMITTED THROUGH/TO</b>	<b>WHEN REQUIRED</b>	<b>PURPOSE</b>	<b>REFERENCE</b>
Insurance Certificate (Min. coverage per Section 14 – OCIP Special Provision)	Contractor	RE/Project Office/ Willis of Utah	Attachment to Enrollment form	Required before entering jobsite	
<b><i>ITS/TRAFFIC MANAGEMENT</i></b>					
30-Day ATMS Burn-in Test Report					
5-Day ATMS Testing Pre- Notification					
ATMS Cable & Conductor Test					
Closed Circuit Television (CCTV)					
Detector Loop Inductance & Resistance Test					
Local Field Operations Testing Completion Notification					
Ramp Meter Local Field Operations Test					
Variable Message Sign (VMS)					
Weigh In Motion (WIM)					

## List of Applicable Policies and Procedures

Policy Number	POLICY TITLE
<b>Human Resource Management (Section 05C)</b>	
05C-30	Rules of Conduct and Code of Ethics
<b>Risk Management (Section 05D)</b>	
05D-2	Personal Protective Equipment and Safety Clothing
<b>Traffic &amp; Safety (Section 06C)</b>	
06C-61	Work Zone Speed Limits
<b>Project Development (Section 08)</b>	
<b>General</b>	
08-3	Completing and Archiving As-Built Construction Plans
08-05	Work Zone Safety and Mobility
<b>Preconstruction (Section 08A)</b>	
08A-9	Determination of Contract Time
<b>Value Engineering (Section 08A4)</b>	
08A4-1	Value Engineering
<b>Utilities (Section 08A6)</b>	
08A6-1	Railroad Participation and Maintenance Responsibilities for Railway-Highway Projects
08A6-2	Accommodation of Utilities on Highway Rights of Way
08A6-3	Plans, Specifications & Estimates, & Railroad Agreements for Railway-Highway Crossing Projects as Authorized by the 1973 Federal-Aid Highway Act (Sections 203 and 230)
<b>Construction (Section 08B)</b>	
08B-1	Prequalification of Contractors
08B-10	Change Orders
08B-11	Contract Modification, Extra Work Agreements and Final Estimates Overruns and Underruns
08B-12	Advertising and Awarding Construction Contracts
08B-21	Contractor's Labor Payrolls on Federal-Aid Projects
08B-23	Leasing Office Space For Construction Projects and Leasing of Stockpile Sites
08B-27	Bid Bond Forfeiture of Surety Bond, Cash, or Other Security Instrument
08B-28	Review of Construction Practices and Procedures
08B-29	Accomplishment of and Payment for Utility Relocations Required in Connection with Highway Work (Including Railroad Relocation)
08B-30	Construction Site Safety Inspection
08B-31	Control of Materials and Certification During Construction of Projects and Materials Certification at Completion
08B-91	Claims Board of Review
08B-94	Claims Re-Examination Board
08B-110	Disadvantaged Business Enterprise (DBE) Program